



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Pompejus, Markus *et al.*

Serial No.: 09/606740

Filed: June 23, 2000

For: *CORYNEBACTERIUM GLUTAMICUM GENES  
ENCODING METABOLIC PATHWAY PROTEINS*

Attorney Docket No.: BGI-121CP

Group Art Unit: 1652

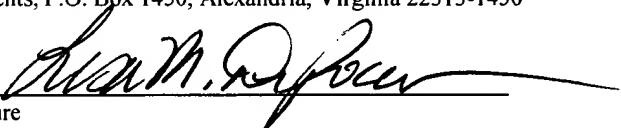
Examiner: Fronda, Christian L.

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

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Lisa M. DiRocco, Esq.

Please Print Name of Person Signing

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Applicants and their Attorney are aware of the following publications and information, listed on the attached PTO Form SB/08, and in accordance with 37 CFR §1.97 hereby submit these publications for the Examiner's consideration. Reference ID Nos. A-5 and A7 were cited in an International Search Report dated January 24, 2001 during the prosecution of PCT/IB00/00923 which corresponds to the above referenced application. A copy of the report and each cited publication is enclosed.

12/24/2003 SSESHE1 00000067 120080 09606740

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This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publication is prior art. Moreover, Applicants understand that the Examiner will make an independent evaluation of the cited publications.

In accordance with 37 CFR §1.97(d)(2) and §1.17(p), please charge the \$180.00 submission fee to our Deposit Order Account No. 12-0080. Please charge any necessary additional fees or credit any overpayments to our Deposit Order Account No. 12-0080.

Respectfully submitted,  
LAHIVE & COCKFIELD, LLP



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Date: December 18, 2003

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Enclosures



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<b>Substitute for form 1449A/B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	09/606740
				Filing Date	June 23, 2000
				First Named Inventor	Pompejus, Markus
				Art Unit	1652
				Examiner Name	Fronza, Christian L.
Sheet	1	of	1	Attorney Docket Number	BGI-121CP

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)					
	A1	EP 0 435 132 A1		03-07-1991	Forschungszentrum Julich GMBH		Abstr.

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	A2	Bathe, B. <i>et al.</i> "A physical and genetic map of the <i>Corynebacterium glutamicum</i> ATCC 13032 chromosome." <i>Mol. Gen. Genet.</i> 252:255-265 (1996).	
	A3	Cole, S.T. <i>et al.</i> "Deciphering the biology of <i>Mycobacterium tuberculosis</i> from the complete genome sequence." <i>Nature</i> 393:537-544, 25 pp. with figures (1998).	
	A4	Eikmanns, B.J. <i>et al.</i> "Molecular aspects of lysine, threonine, and isoleucine biosynthesis in <i>Corynebacterium glutamicum</i> ." 64:145-163 (1993).	
	A5	EMBL Accession No. O33231 for Diaminopimelate epimerase (EC 5.1.1.7) (DAP Epimerase) 1p.	
	A6	GenBank Accession No. AD000002 for <i>Mycobacterium tuberculosis</i> sequence from clone y154. 12 pp.	
	A7	Keilhauer, C. <i>et al.</i> "Isoleucine synthesis in <i>Corynebacterium glutamicum</i> : molecular analysis of the <i>ilvB-ilvN-ilvC</i> operon." <i>Journal of Bacteriology</i> 175(17):5595-5603 (1993).	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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1652

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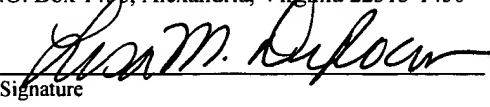
Re: U.S. Patent Application No.: BGI-121CP  
For: *CORYNEBACTERIUM GLUTAMICUM GENES ENCODING METABOLIC  
PATHWAY PROTEINS*  
Inventors: Pompejus, Markus *et al.*  
Filed: June 23, 2000  
Our Ref. No.: BGI-121CP

Dear Sir:


I enclose herewith for filing in the above-identified application the following:

1. Information Disclosure Statement;
2. PTO Form SB/08;
3. Copies of selected publications cited in PTO Form SB/08 (7);
4. A copy of the International Search Report; and
5. A Return Postcard.

Please charge the necessary fees in connection with the enclosed statement to our  
Deposit Order Account No. 12-0080. For this purpose, a duplicate of this sheet is attached.

"Express Mail" Mailing Label Number <u>EV 244882962 US</u>
Date of Deposit <u>December 18, 2003</u>
I hereby certify that this transmittal letter and the papers referred to as being enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450
 Signature
Lisa M. DiRocco, Esq.

Respectfully submitted,  
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Lisa M. DiRocco, Esq.  
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